

straight column on what the economic consequences of the strike would be. Generally speaking, the press carried our analysis of the WEEP question as the most obvious answer to why the strike is taking place at this point.

But I think two examples will give you the best sense of how the press handled our interviews. In a broadcast interview with TV station WSAZ, the interviewer was quizzing us on the RU and OL links to the Miners Right to Strike crew. He first asked if the Labor Party was communist, and when we explained the humanist tradition our organization represented, he asked the obvious question, well, aren't the RU and OL communist organizations? His jaw dropped as we proceeded to explain that in fact these groups were Maoist advocates of pick and shovel technology, while the U.S. coal industry could stand to learn some lessons from the advanced long-wall mining methods and MHD experimental technology work now taking place in the Soviet Union.

The other example is our 45-minute radio interview on one of the Charleston stations. The interviewer prefaced his questions to us on energy policy by noting that the Charleston mayor is an advocate of solar energy, while

Governor Jay Rockefeller is pushing coal and gas development. What we did was to outline a \$100-billion energy development policy, which would take the fullest advantage of West Virginia's coal resources through the introduction of advanced mining techniques such as MHD and advanced steelmaking processes, such as the Jordan process. But most important of all, we stressed over and over again that what is happening to the UMW and to West Virginia is not unique.

To make matters worse — if it is indeed possible to do that — Miller is now reportedly being “led around by the nose” by so-called labor economist and top labor counter-insurgency agent Stanley Ruttenberg and “lawyer” Harry Hugo, of the law firm that handles IPS, Rogovia, Hugo and Stern. Both these individuals are playing a major role in the negotiations — thereby all but insuring that in the words of one observer, “without the direct intervention of God Himself,” no real progress will be made.

It appears therefore that the 20-year project of IPS and its controllers to destroy the United Mineworkers union of John L. Lewis is in the final stages. Said one union leader, “If we can't turn the current situation around, I give the UMW six months to live...”

Recommended Law Firm Be Disqualified In UAW Suit

NEW YORK, Dec. 5 — Federal Magistrate Kent Sinclair has recommended to Federal Judge Lawrence Pierce that the law firm of Cowan, Liebowitz and Latman, plus the United Auto Worker's former General Counsel, Steven Schlossberg, be disqualified from further participation in the union's \$60 million lawsuit against the National Caucus of Labor Committees, Counsel for the NCLC was notified today. The suit is now pending before Judge Pierce in New York's Southern District Federal Court.

Magistrate Sinclair's “Report and Recommendation” responds to a motion by NCLC attorneys that the law firm and Schlossberg be disqualified in the case. The motion also sought to disqualify FBI informant Gregory Rose's testimony as a witness for the UAW, while seeking dismissal of the entire lawsuit. The motion was made following the revelations that Rose was to appear as a key witness for the UAW in the case.

Rose is a former member of the NCLC who was expelled from the organization. According to FBI documents subsequently released to the NCLC, Rose was an FBI informant while a member from May 1975. While Rose was a member of the NCLC, he was directly involved in strategy discussions with the organization's counsel for the UAW suit, and served as a liaison between the security and legal staffs on the case. It has also been alleged that Rose stole work product from one of the NCLC's attorneys.

The NCLC also put into evidence before Magistrate

Sinclair numerous documents released to the organization under the Freedom of Information Act, showing that Steven Schlossberg, while UAW counsel sought to use Rose's tainted “information” about the organization. In 1975 Schlossberg visited Attorney General Edward Levi with wild allegations about purported plots by the NCLC to assassinate Leonard Woodcock and Nelson Rockefeller. Schlossberg's visits with Levi followed attempts to enlist previous Attorney Generals, the FBI, and the Department of Labor in prosecutions of the NCLC parallel to the UAW's efforts in its southern district action.

“Integrity of the Bar”

Magistrate Sinclair relies on two recent second circuit decisions, *Hull v. Celanese* and *The Fund of Funds, LTD v. Arthur Anderson and Co.*, aimed at “preserving the integrity of the bar before the public,” in his conclusions that “there is no principled distinction to be drawn between the duties of a lawyer concerning withdrawal based on whether the source of his adversary's confidences is a client, or as here, a witness...” “Here there is a dispute between Rose's affidavit's claim that no privileged communication ever passed in his presence during his tenure at the NCLC and the defendant's affidavits which suggest that on many occasions such communications were had in Mr. Rose's presence...The facts here show at present only the more limited instance of a former assistant in the employer's own legal endeavors, indeed involving in some respects the very

same litigation pending at the time of his former employment... thus defendant's motion to disqualify counsel and their respective firms should be granted.'

The UAW's attorneys will have 10 days to file objections to Magistrate Sinclair's ruling at which time Judge Pierce will make a final determination. The

Magistrate reported to Judge Pierce that he saw no need to hold an evidentiary hearing on the matter or any need to bar Rose's testimony as a witness at trial.

— Barbara Boyd

IBEW Backs Nuclear Energy

The December issue of the IBEW Journal, the official publication of the International Brotherhood of Electrical Workers, carried a strong endorsement of nuclear power. Following are excerpts from the article, entitled "Are Nuclear Power Plants Needed? Yes!"

Summer is that time of the year when lighthearted activity prevails. Perhaps this is due to the rapid rise of temperature and humidity which grips much of the nation, thus giving pause to weighty matters. This past summer some lighter fare was provided by those who demonstrate against nuclear power.

Nationwide protests which took months of advance planning by obstructionists were scheduled for the 32nd anniversary of Hiroshima. These proved not to be explosive events (as were Hiroshima and Nagasaki) but more of a fizzle.

At Browns Ferry, obstructionists were outnumbered by reporters 10 to 1 (2 obstructionists-20 reporters). At Diablo Canyon, Captain Plutonium II swam ashore to take over the facility! He was merely arrested for trespassing...

All summer activities was not as frivolous and the atom was hard at work doing what it does best, making electricity...

The atom has proved itself during the extreme weather conditions that have prevailed in the past year and for this very reason the obstructionists are experiencing less and less success with their reasoning tactics that nuclear power is unsafe. The facts tell another story.

Until recently the struggle against nuclear power was

centered in the United States. However, obstructionists have now moved operations north of the border in an attempt to stop Canadian nuclear power development. An obstructionist is an obstructionist regardless of citizenship. His goals are the same: stop industry, achieve zero growth, and increase unemployment...

Tactics are the same on both sides of the border; they use emotion, not logic. Labor must be convinced to commit suicide. What the obstructionists don't realize is that the hard hats belonging to IBEW members do not cover soft heads. For IBEW goals to be achieved, there must be growth. Fuzzy thinking obstructionists are not going to convince us otherwise. Unemployment rates in both nations are too high. *No growth means no jobs...*

During October, 1977 the Saskatchewan Federation of Labor held a special convention concerning uranium mining, Saskatchewan's organized labor pointed the way... Resolutions were then presented to the convention on the issue. In Canada as in the United States there are obstructionists in labor. (Leading opponents of nuclear energy in Canada in particular are the United Auto Workers and the Canadian Union of Public Employees—ed.) Obstructionist labor delegates proposed a (uranium) mining moratorium. After much debate, it was defeated by a vote of the convention...

The IBEW continues to support the expansion of the nuclear industry as a means of solving the world energy crisis. It is the IBEW's opinion that nuclear power is safe, reliable, environmentally acceptable, and the most economical way to meet the electrical needs of our two nations.